

The Honorable John H. Chun
United States District Court Judge

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

Bianey GARCIA PEREZ, Maria
MARTINEZ CASTRO, J.M.Z., Alexander
MARTINEZ HERNANDEZ, on behalf of
themselves as individuals and on behalf of
others similarly situated,

Plaintiffs,

V.

U.S. CITIZENSHIP AND IMMIGRATION SERVICES; Ur JADDOU, Director, U.S. Citizenship and Immigration Services; EXECUTIVE OFFICE FOR IMMIGRATION REVIEW; David NEAL, Director, Executive Office for Immigration Review.

Defendants.

Case No. 2:22-cv-00806-JHC

JOINT STATUS REPORT & STIPULATION

Note on Calendar: October 13, 2023

STIPULATION - 1
2:22-cv-00806-JHC

**United States Department of Justice, Civil Division
Office of Immigration Litigation – District Court Section
P.O. Box 868, Ben Franklin Station
Washington, D.C. 20044
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PARTIES' JOINT STATUS REPORT AND STIPULATION

Plaintiffs Bianey Garcia Perez; Maria Martinez Castro; J.M.Z.; Alexander Martinez Hernandez; and Defendants U.S. Citizenship and Immigration Services (“USCIS”); Ur Jaddou, Director, USCIS; Executive Office for Immigration Review (“EOIR”); and David L. Neal, Director, EOIR, hereby stipulate to an additional 45-day stay of proceedings as the parties continue to draft a settlement agreement. On May 24, 2023, the parties reached an agreement in principle as to all claims and parties and are working toward finalizing the terms of the settlement agreement.

Plaintiffs and Defendants have previously jointly stipulated to several stays. See ECF Nos. 34, 37, 39, 41, 44, 46, 48, 51, 53. Most recently, the parties jointly stipulated to a stay on September 13, 2023. ECF No. 52. On September 25, 2023, this Court granted the parties' stay and ordered the parties to submit a joint status report on October 13, 2023. ECF No. 53. Since that order, the parties have continued to make progress on finalizing a settlement agreement and Defendants will provide any edits or feedback on the draft settlement agreement to Plaintiffs by October 25, 2023. Further, Plaintiffs have proffered a fee request under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. Defendants are reviewing Plaintiffs' EAJA fee request and will provide Plaintiffs with a response to their fee request by November 1, 2023.

In light of these developments, the parties have agreed to stipulate to a 45-day stay of Defendants' briefing deadlines. Good cause continues to exist for the stipulation because the complexity of the issues in this case requires additional time and there continues to be a meaningful opportunity to reach a settlement that would conserve judicial resources, as well as those of the parties. The parties will file a final settlement agreement with the Court or seek a further extension, if necessary, by November 27, 2023.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

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2 For the Plaintiffs:

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4 Matt Adams

5 /s/ Aaron Korthuis

6 Aaron Korthuis

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11 /s/ Mary Kenney

12 Mary Kenney

13 /s/ Trina Realmuto

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11 /s/ Aneesa Ahmed

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22 Dated this 13th day of October, 2023.

26 STIPULATION - 3
2:22-cv-00806-JHC

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1 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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Dated this 19th day of October.

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The Honorable John H. Chun
5 UNITED STATES DISTRICT JUDGE
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